

# A BILL

## FOR

AN ACT TO AMEND THE NATIONAL CENTRE FOR AGRICULTURAL MECHANIZATION ACT CAP N13 LFN, 2004 TO PROVIDE FOR PRIVATE SECTOR PARTICIPATION, PROMOTION OF COMMERCIAL AGRICULTURE AND FOR OTHER RELATED MATTERS, 2015

*Sponsored by Hon. Solomon B. Maren*

[ ] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1           1. The National Centre for Agricultural Mechanization Act  
2 (hereinafter referred to as "the Principal Act") is amended as set out in this  
3 Bill.

Amendment of  
the National  
Centre for  
Agricultural  
Mechanization

4           2. Section 2 of the Principal Act is amended by:

Amendment of  
Section 2

5           (a) to promote the carrying out of applied research designed to  
6 facilitate the designing, adaptation and development of machinery and  
7 equipment suitable for the use in agricultural and rural development;

8           (b) to develop and manufacture approved prototype, components  
9 and cultural techniques and technologies, and evaluate their suitability for  
10 adaptation and alternative use in rural agricultural production;

11           (c) to develop and adopt local design or foreign designs of  
12 agricultural machinery and equipment to suit local conditions of  
13 manufacture and maintenance for use in rural agriculture;

14           (d) to develop and manufacture approved prototypes, components  
15 and spare-parts of agricultural machinery and equipment which are not  
16 available in large quantities in the Federal Republic of Nigeria;

17           (e) to perform tests on all types of machinery and equipment  
18 intended for use in agricultural and rural development in the Federal  
19 Republic of Nigeria, and to publish the results of each such test;

1 (f) to formulate and conduct short courses designed to provide  
2 practical training and further knowledge to rural settlements and other artisans  
3 in the use and maintenance of agricultural machinery and other appropriate  
4 technology machinery and equipment;

5 (g) to advise and provide support services to organizations and  
6 persons undertaking the extension and implementation of programmes and  
7 projects resulting from the work of the Center;

8 (h) to offer consultancy services on the designing, testing and other  
9 technical aspects of agricultural and other machinery and equipment for use in  
10 rural development;

11 (i) to offer consultancy services relating to the marketing, financial  
12 and other managerial aspects of agricultural and rural development through the  
13 adaptation and use of appropriate technology;

14 (j) to provide relevant information and advice to the agricultural  
15 sector relating to the design, production, marketing, supply, use and  
16 maintenance of agricultural and other appropriate technology machinery and  
17 equipment;

18 (k) to formulate and execute projects and programmes designed to  
19 encourage or facilitate the establishment and development of rural settlements  
20 workshops and other rural production and maintenance facilities;

21 (l) to act as the national link with other national and international  
22 institutions engaged in activities related or similar to the functions of the  
23 center;

24 (m) to create an enabling environment for individuals, firms, private  
25 sector participation in all programmes of the Center for the promotion of  
26 agricultural mechanization for national development.

Insertion of a  
new Section 8

27 **3. The Principal Act is amended by:**

28 (a) inserting a section 8; and

29 (b) re-numbering subsequent sections accordingly

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1           **8.-(1) There shall be established for the center a department of**  
2           **Research and Development which shall be responsible for the study of all**  
3           **proposals for research and development in all aspect of agricultural**  
4           **mechanization.**

Establishment of  
the Department  
of Research and  
Development

5           **(2) The department shall take all such measures as are necessary to**  
6           **facilitate the carrying out of the research or development project or, as the**  
7           **case may be, to obtain the decision of the board on the proposals in question.**

8           **(3) In determining whether or not any proposal for a research or**  
9           **development project be carried out by the Center the Board shall take into**  
10          **account:**

11          **(a) the necessity or desirability and propriety of the research or**  
12          **development project proposed to be carried out by the Center;**

13          **(b) the cost of the proposed research or development;**

14          **(c) the possible beneficial consequences of the proposed research**  
15          **or development project on the programs of the Center for the promotion of**  
16          **rural technology and mechanization of agriculture;**

17          **(d) a financial ability of the Center to meet the anticipated cost of**  
18          **the proposed research or development project;**

19          **(e) the ability of the Center to carry out the proposed research or**  
20          **development project having regard to other projects being carried out by the**  
21          **Center.**

22          **(4) The Board may, after considering the factors specified in**  
23          **subsection (3) in respect of any proposed research or development project**  
24          **referred to it, approve or withhold its approval, and, in the later case, may**  
25          **require that further information or particulars in connection with the**  
26          **proposed particulars be provided to the Board by the Directors.**

27          **4. The Principal Act is amended by:**

28          **(a) inserting a new section 9; and**

29          **(b) re-arranging subsequent sections accordingly:**

Insertion of new  
Section 9

Testing and  
Manufacturing

1           9.-(1) Subject to the provision of subsection (2) of this section, the  
2 Centre shall be responsible for testing of such machinery and equipment  
3 intended for use in agriculture in the Federal Republic of Nigeria as the  
4 Minister may, by regulation published in the Gazette.

5           (2) The Board shall establish a system of cooperation with the  
6 Standard Organization of Nigeria with a view to establishing factors to be taken  
7 into account in the testing of various machinery and equipment for use in  
8 agriculture in the Federal Republic of Nigeria.

9           (3) The Minister may, upon the advice of the Board, by regulations  
10 published in the Gazette, make provision for regulating the exercise, the  
11 manner and the procedure for testing machinery and equipment, and may, in  
12 those regulations provide for the compulsory testing of certain or all  
13 agricultural machinery or equipment prior to its importation or use in the  
14 Federal Republic of Nigeria.

15           (4) The Center may undertake the manufacture, distribution or sale of  
16 any agricultural machinery and equipment designed by it and, for that purpose,  
17 the Center shall manufacture agricultural and other appropriate technology and  
18 equipment designed by it with a view to meeting the demand for them and  
19 securing revenue for the Center, disseminating to interested persons or bodies  
20 of persons, and the exchange between them and the Center, of information  
21 relating to agricultural mechanization and rural technology.

22           (5) The Center may collect, publish and disseminate literature and  
23 other materials on agricultural mechanization and other related subjects, and  
24 may provide facilities for the members of the public to have access to those  
25 materials.

Insertion of a  
new Section 10

26           5. The Principal Act is amended by:

27           (a) inserting a new section 10; and

28           (b) re-arranging the preceding sections accordingly:

Discovery farm  
machine and  
equipment

29           10.-(1) The Centre shall invent farm machines and equipment or other  
30 discoveries which shall become the property of the Centre.

1 (2) For the purpose of the commercial agriculture, any invention or  
2 discovery which the Center considers appropriate for, or incidental to, the  
3 effective and efficient performance of its functions, the Center shall arrange  
4 with any person or body or persons to buy, sell, take, or grant patent right in  
5 the Invention or discovery, subject to terms approved by the Board.

6 (3) The Center may, with the prior approval of the Minister enter  
7 into any arrangement under subsection (2) one of the terms of which  
8 requires the Center to provide financial assistance in the form loan or grant  
9 to the person or body of persons with whom the arrangement is entered.

10 (4) Except with the consent of the Minister the Centre shall not, in  
11 pursuance of any of the provisions under this section undertake to incur any  
12 expenditure which exceeds one percent of the approved recurrent  
13 expenditure budget of the Centre for anyone financial year.

14 (5) Every invention or discovery made as a result of research  
15 carried out under this Bill shall be registered by the Centre in such form and  
16 upon such condition as the Board may, by regulation made under this Bill,  
17 prescribe.

18 (6) The Board shall grant to any person who makes an invention or  
19 discovery, or who materially assists or contributes to the making of that  
20 invention or discovery, such reward as may be approved by it.

21 6. Section 15 of the Principal Act is amended by deleting in its  
22 entirety, the existing provisions and inserting to replace therein the  
23 following new provisions:

Amendment of  
Section 15

24 15.-(1) There shall be established a special fund which shall be  
25 responsible for the research, inventions, discovery of farm machines and  
26 other equipment for the promotion of commercial agriculture.

Fund of the  
Centre

27 (2) The Fund shall be made up of 1 % of the sum approved for the  
28 annual budget of the Federal Ministry of Agriculture for agricultural  
29 mechanization and research.

30 (3) There shall be paid and credited to the fund established in

1     pursuance of subsection (l) of this section:

2             (a) all monies raised for the general purposes of the Centre;

3             (b) all money accrues to the Board on behalf of the Centre by any  
4 means, including grants-in-aid, endowment and donations;

5             (c) all charges, dues, fees or amount recovered by the Board;

6             (d) all interest on monies invested by the Board; and

7             (e) such other sum as may, from time to time, accrue to the Centre or  
8 the Board.

9             (4) For the purpose of defraying expenditure of the Centre there shall  
10 be paid and credited to the fund all revenue and budgetary allocation to the  
11 Centre.

12             (5) All sums of money received on account of the Centre by the Board  
13 accruing to the fund shall be paid into the Central Bank of Nigeria for the credit  
14 of the Centre.

Short Title

15             7. This Bill shall be cited as the National Centre for Agricultural  
16 Mechanization Act (Amendment) Bill, 2015.

#### EXPLANATORY MEMORANDUM

This Bill seeks to amend the National Centre for Agricultural Mechanization and to provide for private sector participation, promotion of Commercial Agriculture.